

Department of Economic Security
Division of Child Support
Enforcement



UNDERSTANDING THE DISBURSEMENT OF YOUR CHILD SUPPORT PAYMENT

Equal Opportunity Employer/Program
Disponible en español.

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UNDERSTANDING THE DISBURSEMENT OF YOUR CHILD SUPPORT PAYMENT

This pamphlet is designed to help you understand how your support payments will be disbursed. The pamphlet describes how support payments are disbursed in all types of cases as required by federal law and Arizona Revised Statute 46-408.

CURRENT ASSISTANCE CASES:

What is a current assistance case?

A current assistance case is a case in which you are now receiving public assistance through TANF (formerly known as AFDC).

I am currently receiving assistance, I have a court order for support that is being collected, but I am not receiving any support money. Why is that?

Federal law requires that any support money that is paid while you are receiving public assistance be used to pay back the federal and state government for the total cumulative amount of public assistance given to your family. While you are receiving TANF, you will not receive collected support unless all public assistance given to your family has been repaid. If more support is collected than the cumulative total amount of public assistance ever paid to your family, you will receive the difference.

The current support, arrears and interest that accrue while you receive public assistance are *permanently assigned* to the state.

Why is the state allowed to keep my support payments?

By operation of law, when you begin to receive TANF (or received AFDC), your rights to support are *assigned* to the State of Arizona. This means that since the State of Arizona is providing public assistance to your family, you are required to pay the federal and state government back using your court ordered support payments. Support that is unpaid while you are receiving public assistance must also be used to pay back the federal and state government whenever it is collected.

My ex-spouse owed me arrears before I began receiving assistance. Why am I not receiving these arrears while I am receiving assistance?

All arrears that existed before you began receiving public assistance are also assigned to the state. These arrears are *temporarily assigned* to the state. These amounts are also used to pay back the federal and the state governments for any public assistance they provide to you and your family. These arrears are called *temporarily assigned* to show that they were from the time before you began receiving assistance. They can be used to pay back the public assistance your family received if they are collected while you are receiving public assistance, and after you stop receiving public assistance they can be used to pay back public assistance when they are paid by an Internal Revenue Tax Refund intercept.

FORMER ASSISTANCE CASES:

What is a former assistance case?

A former assistance case is a case in which you received public assistance (AFDC/TANF) in the past but are not receiving public assistance now.

What happens to my support payments when I am no longer receiving public assistance?

You will receive current support payments when you are no longer receiving public assistance. Also, any arrears and interest that accrue after you stop receiving assistance will be paid to you. These arrears that accrue after you stop receiving assistance are called *never assigned arrears*. This means that they are not subject to the assignment of your rights to support and will be paid to you before the federal and state government are paid back for the assistance paid to your family.

Is there any way that I can receive the unpaid support for my case from the time when I was receiving public assistance?

The support that was unpaid while you were receiving public assistance is assigned to the state and will be used to reimburse the federal and state government for the total public assistance paid to your family. If the amount of unpaid support from when you were receiving assistance is more than the amount of assistance that was paid to your family, the difference will be unassigned and be paid to you. The federal and state government cannot keep more assigned arrears than what was paid to your family in public assistance.

How does the state know how much assigned support to keep to pay back the public assistance given to my family?

The Division of Child Support Enforcement receives information every month from the TANF agency about how much public assistance was paid to your family. The TANF agency tells us when you begin and stop receiving public assistance.

GENERAL INFORMATION

I do not believe that I received the support collected on my behalf. What can I do?

You can request an administrative review within 30 business days after the date of your monthly/quarterly notice of collections. You will need to request the administrative review in writing from the Division of Child Support Enforcement, P.O. Box 40458, Phoenix, Arizona 85067. Once your request has been received, an acknowledgement will be sent to you within ten business days. The acknowledgement may ask you for additional information needed to complete the review. A final determination will be sent within 30 business days of the date of the acknowledgement of your request or 10 business days after receipt of the additional information.



Arizona Department of Economic Security
Quality Service, Organizational Pride,
Client Self-Sufficiency

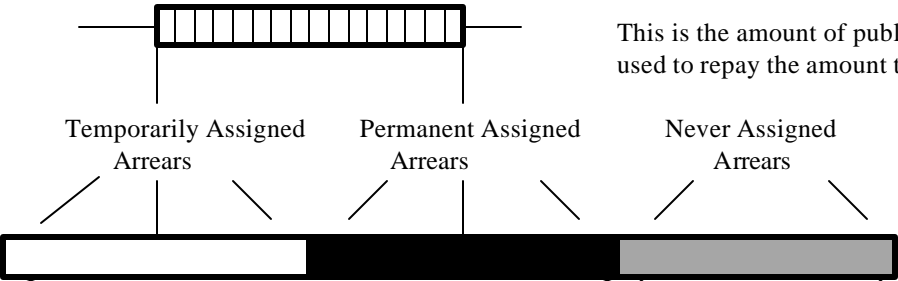
Under the Americans with Disabilities Act (ADA), the Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service, or activity. For example, this means that if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs

in advance if at all possible. This document is available in alternative formats by contacting (602) 252-4045.

THE DISBURSEMENT OF YOUR PAYMENTS

Before Public Assistance [] During Public Assistance [] After Public Assistance/Never Assistance Case [] Public Assistance/Family Grant Amount []

Family Grant amount

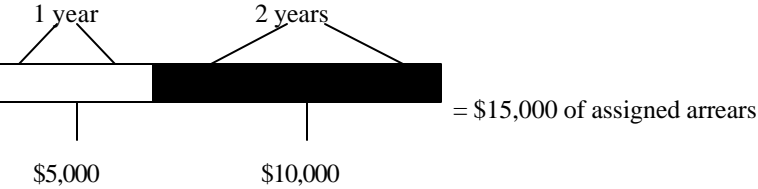


This is the amount of public assistance paid to you by TANF/AFDC. Your assigned arrears will be used to repay the amount the state issued to you while receiving assistance.

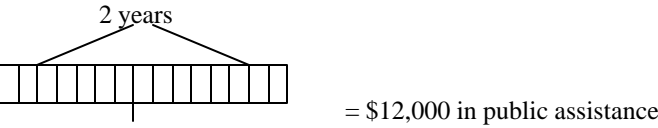
These are both assigned arrears. They can be used to repay the state. These arrears belong to you.

CURRENT ASSISTANCE CASES:

If you are currently receiving assistance, here is a timeline of how your arrears might look:



This line will be the amount of money in your family grant:



12,000
WHEN YOU FINISH RECEIVING PUBLIC ASSISTANCE, to figure out the amount of arrears that are yours:

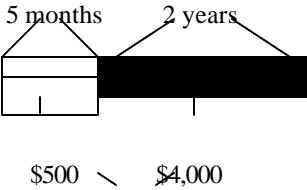
Take this line [] , add it to this line [] , and subtract this line []

5,000 + 10,000 - 12,000

15,000 - 12,000 = \$3,000 unassigned to you

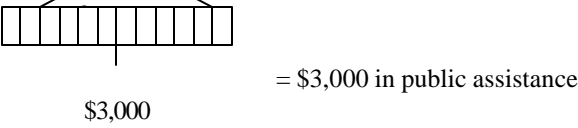
FORMER ASSISTANCE CASES:

If you are not currently receiving assistance but have in the past, here is a timeline of how your arrears might look:



\$4,500 in assigned arrears

This line will be the amount of money in your family grant:



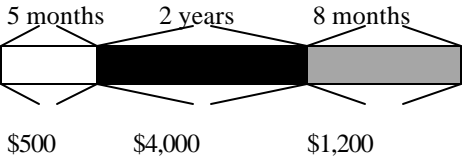
Now, to figure out the amount of arrears that are unassigned:

Take this line [] , add it to this line [] , subtract this line []

500 + 4,000 - 3,000

4,500 - 3,000 = \$1,500 unassigned to you

After you finish receiving assistance, your arrears might look like this:



All of the arrears that accumulate after you finish receiving public assistance will be paid to you before the assigned arrears are paid to the government.

So everything from this line [] goes to you. This gives you a total of \$1,200 in never assigned arrears.

Special Note

All IRS tax refund intercepts must be used to pay assigned arrears owed to the federal and state government before paying arrears that are owed to you.

When you stop receiving assistance, arrears are unassigned first from the period before you began receiving assistance. Effective 10/1/2000, these unassigned arrears will be paid to you before the assigned arrears are paid to the government.

